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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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09/632,089

08/02/2000

Masato Yoshida

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9084

24998

7590

06/01/2004

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EXAMINER

BRINICH, STEPHEN M

ART UNIT

PAPER NUMBER

2624

DATE MAILED: 06/01/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

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APPLICATION NO./ CONTROL NO.	FILING DATE	FIRST NAMED INVENTOR / PATENT IN REEXAMINATION	ATTORNEY DOCKET NO.
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EXAMINER
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ART UNIT	PAPER
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Commissioner for Patents

# Office Action Summary

Application No.

09/632,089

Applicant(s)

YOSHIDA, MASATO

Examiner

Stephen M Brinich

Art Unit

2624

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☒ Responsive to communication(s) filed on 3/16.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-20 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

## Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some \* c) ☐ None of:
- ☒ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

## Attachment(s)

- |  |   |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892)   | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

Art Unit: 2624

**DETAILED ACTION**

***Claim Rejections - 35 USC § 102***

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless -

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. Claims 1-2, 4, 10-11, 13, 17-18, & 20 are rejected under 35 U.S.C. 102(e) as being anticipated by Farros et al.

Re claims 1-2, 4, 11, 13, 17-18, & 20, Farros et al discloses (Figures 1 & 3; column 4, lines 44-46) a name card creation system with a means and method of fetching files of layout information including pre-printed card information (column 6, line 24 - column 7, line 5), displaying the layout information (306), and inputting additional information (310). An available (i.e. currently blank) location for allocating the additional information is determined by the user, and the resulting name cards with the additional information are printed.

Art Unit: 2624

Re claim 10, Farros et al discloses (column 5, lines 20-23; column 6, lines 12-13) the calculation and printing of a slip showing a monetary cost of a name card print run.

***Claim Rejections - 35 USC § 103***

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

4. Claims 3, 5-7, 9, 14, & 16 are rejected under 35 U.S.C. 103(a) as being unpatentable over Farros et al in view of Stechmann et al.

Re claims 3, 5-7, 9, 14, & 16, Farros et al discloses the use of a graphic logo on name cards, but not the use of an image such as a face photograph acquired by a camera or plotting device.

Re claims 3, 5-6, 9, & 14, Stechmann et al discloses (column 5, lines 1-8 & 21-24) the use of a camera to capture the image of a subject. Re claim 7, Stechmann et al further discloses (column 5, lines 27-29) the use of a signature capture device (readable as a "plotter") to capture a sample signature

Art Unit: 2624

of a subject. Re claim 16, Stechmann et al further discloses (column 5, lines 1-8) the use of a display in conjunction with the camera for reviewing the image of the subject and obtaining a clear image prior to capturing the image to be used on the card.

Stechmann et al discloses the use of these graphics for printing on name cards, thus establishing that the Stechmann et al reference teachings are analogous to those of Farros et al. The use of such subject image and subject signature samples on the name cards of Farros et al in order to make these cards a more reliable means of identifying their holder would be an expedient obvious to one of ordinary skill in the art.

5. Claims 8, 12, & 19 are rejected under 35 U.S.C. 103(a) as being unpatentable over Farros et al in view of Egashira et al.

Farros et al does not disclose the use of a coating on name cards.

Re claims 8, 12, & 19, Egashira et al discloses (column 11, lines 50-62; column 22, line 62 - column 24, line 7) the use of a coating material for name cards. Particularly re claim 8, this coating is described as receiving an image (i.e. the coating is prepared prior to printing, not overlaid over earlier printing).

Art Unit: 2624

Egashira et al discloses the use of this coating for name cards, thus establishing that the Egashira et al reference teachings are analogous to those of Farros et al. The use of such a coating on the name cards of Farros et al in order to enable them to accept printing and to preserve the printing once it has been applied would be an expedient obvious to one of ordinary skill in the art.

6. Claim 15 is rejected under 35 U.S.C. 103(a) as being unpatentable over Farros et al.

Re claim 15, Farros et al discloses (column 6, lines 2-3) the use of a keyboard as one means of entering additional information onto a name card. Farros et al does not specifically disclose the presence of an arrow key on such a keyboard. The use of a standard keyboard, having four arrow keys, as the keyboard disclosed by Farros et al, would be a substitution of equivalents of a type judicially recognized as obvious to one of ordinary skill in the art, provided that the reason for the selection of one equivalent or another was not to solve an existing problem (*In re Ruff*, 118 USPQ 343).

#### ***Response to Arguments***

7. Applicant's arguments filed 16 March 2004 have been fully considered but they are not persuasive.

Art Unit: 2624

Re claims 1, 2, 4, & 10, Applicant argues (Paper #6: page 8, line 16 - page 10, line 9) that Farros does not teach or suggest the claimed fetching of layout information printed on a name card, but instead teaches the fetching of information from a stored data file.

However, the stored data files of Farros include the layout information that has been pre-printed on name cards (column 4, lines 43-45; column 6, lines 56-58). Thus, the fetching of this information is readable upon the recited fetching of "layout information printed on a name card".

Re claims 3, 5-7, & 8-9, Applicant argues (Paper #6: page 10, lines 10-20) that these claims are patentable for at least the reasons parent claim 1 is patentable. Applicant's arguments re claim 1 have been addressed above.

Re claims 3, 5-7, & 8-9, Applicant asserts (Paper #6: page 10, lines 20-21) that the Farros et al, Egashara et al, and Stechmann et al references are not properly combinable as set forth in the previous Office action. However, Applicant has set forth no supporting rationale for this assertion.

#### **Conclusion**

8. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is



Art Unit: 2624

reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

9. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Stephen M. Brinich at 703-305-4390. The examiner can normally be reached on weekdays 7:00-4:30, alternate Fridays off.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Tech Center 2600 Customer Service center at 703-306-0377.

If attempts to contact the examiner and the Customer Service Center are unsuccessful, supervisor David Moore can be contacted at 703-308-7452.

Application/Control Number: 09/632,089

Page 8

Art Unit: 2624

Faxes pertaining to this application should be directed to the Tech Center 2600 official fax number, which is 703-872-9306.

Stephen M Brinich  
Examiner  
Art Unit 2624

smb *smb*  
May 25, 2004



*THOMAS D.*  
~~THOMAS~~ LEE  
PRIMARY EXAMINER